

**City of Dripping Springs
City Council**

**Special Meeting Minutes
Tuesday, August 11, 2009
5:30 p.m.**

511 Mercer Street, Dripping Springs, Texas

I. CALL TO ORDER AND ROLL CALL

Mayor & City Council Members

Mayor Todd Purcell
Council Member Santos Alba
Council Member Joe Volpe

Mayor Pro Tem Bill Foulds
Council Member Doug Phillip
Council Member H.A. "Spider" Williams

City Staff/Appointed Officials

City Administrator Michelle Fischer
City Attorney Alan Bojorquez
Development Coordinator Jon Thompson

City Secretary Jo Ann Touchstone
Special Counsel Susan Zachos

Mayor Purcell calls meeting to order at 5:30 p.m. All present except Councilman Alba and Susan Zachos.

II. WORKSHOP

No Action to be Taken on:

- A. Ordinance No. 1803.63 - An Ordinance of the City of Dripping Spring Annexing the following property into the City of Dripping Springs Corporate City Limits:

10.01 +/- Acres of Land out of the William Walker
Survey No. 130, being all of lots 18, 19, 10 & 24 of
Sunset Canyon II-C, a subdivision in Hays County, Texas
(*Timothy Decker, Owner*)

- B. Sign Variance – Dripping Springs United Methodist Church, 28708 Ranch Road 12, Mike Firle, DSUMC Trustee Representative
- C. Ordinance No. 1220.47 – Ordinance of the City of Dripping Springs Changing the Zoning Classification of the following property located in the City of Dripping Springs City Limits, Hays County, Texas: 105 Brookside Drive, Lot 2, Block B, North Forty Addition #2, from CS (Commercial Services) and MH (Manufactured Home) to LR (Local Retail), *H.C. Carter, Owner*
- D. Howard Ranch Subdivision, Section 2, Lots 15 & 16, Block A – Replat, *Keith Middleton, Owner*
- E. Request from American Legion Post 290 for City's Approval of Applications for Certificates of Appropriateness for the Exterior Repairs and Alterations of the Building located at the Triangle, *Stanley Foster, Commander Elect, American Legion Post 290*
- F. Request from First Baptist Church for Waiver of Building Permit Fee for Construction of New Church Building, *Charlie Haydon*

- G. Request from Pedernales Electric Cooperative for Waiver of Site Development and Building Code Permitting Requirements and Fees for Improvements to Electrical Substation Yard Located at 153 Post Oak Drive, *Robert A. Peterson, P.E., System Engineering Manager*
- H. Belterra Commercial Development Agreement between the City of Dripping Springs and MAK Foster Ranch, L.P concerning 106.35 acres of land out of the William S. Holton Survey No. 57, the Alec Mc Gown Survey No. 699, the John Sellars Survey No.3, and the E.B. Hargraves Survey No.4, Hays County, Texas, and being a 101.35 acre portion of that certain 603.58 acre tract of land as conveyed to CPH Foster Ranch, L.P. by special warranty deed recorded in Volume 1763, Page 304, of the official public records of Hays County, Texas, said CPH Foster Ranch, L.P. now known as Mak Foster Ranch, L. P. according to that certain affidavit of name change recorded in Volume 1988, Page 701 of the official public records of Hays County, Texas, together with all of Lot 1, Block C, Belterra Phase Two, Section 5B, a subdivision in Hays County, Texas, according to the map or plat thereof recorded in Volume 12, Page 186, of the plat records of Hays County, Texas
- I. Economic Development Agreement between the City of Dripping Springs and Mak Foster Ranch, L.P.
- J. Ordinance 1310.30 – An Ordinance of the City of Dripping Springs Expanding the Extraterritorial Jurisdiction of the City of Dripping Springs, Hays County, Texas, to Include 10.276 Acres, from the Freelove Woody Survey, Abstract No. 20 (420 Elder Hill Road), Within the Extraterritorial Jurisdiction of the City of Dripping Springs
- K. Appointment of Planning & Zoning Commission Member Whit Smith (City/ETJ), Term to Expire 2010
- L. Fourth Amendment to the Economic Development Agreement between the City of Dripping Springs and B & O Investors, LTD
- M. Interlocal Agreement between the City of Dripping Springs and Dripping Springs Independent School District for the Conveyance of the Stephenson Building Property and Karhan Park Property
- N. Water Termination Agreement between the City of Dripping Springs and the Dripping Springs Water Supply Corporation
- O. Interlocal Joint Billing Agreement between the City of Dripping Springs and the Dripping Springs Water Supply Corporation
- P. Scheduled Maintenance Agreement Between the City of Dripping Springs and Kaeser Compressors, Inc. for the City's South Regional Wastewater Treatment Plant
- Q. South Regional Wastewater System Contracts 2, 3, and 4 for Wastewater Collection System, Wastewater Treatment Facilities, and Subsurface Drip Irrigation System, Including Contract, Change Orders, and Bond Issues
- R. Reconsideration of Resolution 2009-28: A Resolution of the City of Dripping Springs Accepting the Construction of the Wastewater Collection System from Key Enterprises, Inc. (Contract 2-Phase 2 Wastewater Collection System for the City of Dripping Springs South Regional Wastewater System)

III. EXECUTIVE SESSION

The City Council for the City of Dripping Springs has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072

(Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development).

Mayor Pro Tem Bill Foulds motions to adjourn to Executive Session. Councilman Phillip seconds. Adjourned to Executive Session at 6:05. Those present: Mayor Purcell, Councilman Williams, Councilman Volpe, Mayor Pro Tem Bill Foulds, Councilman Phillip, Michelle Fischer, Alan Bojorquez, Jon Thompson and Jo Ann Touchstone. Reconvened to Regular Session at 6:55 p.m.

- A. Update on Settlement Agreement between the City of Dripping Springs and Save Our Springs Alliance, Inc on the matter of Texas Commission on Environmental Quality "Water Quality Land Application (No Discharge) Permit No. WQ0014488002," to be issued to the City for the treatment of domestic wastewater at a daily average flow not to exceed 250,000 gallons per day and disposal via a public access subsurface drip irrigation system located within the Scenic Greens development and approximately 4.4 miles west of Dripping Springs along U.S. Highway 290 in Hays County, Texas *551.071 (Consultation with Attorney)*
- B. Consultation with City Attorney Regarding Fourth Amendment to the Economic Development Agreement between the City of Dripping Springs and B & O Investors, LTD *551.071 (Consultation with Attorney)*
- C. Consultation with City Attorney Regarding Interlocal Agreement between the City of Dripping Springs and Dripping Springs Independent School District for the Conveyance of the Stephenson Building Property and Karhan Park Property, *551.072 (Deliberations about Real Property)*
- D. Consultation with City Attorney Regarding Water Termination Agreement between the City of Dripping Springs and the Dripping Springs Water Supply Corporation, *551.071 (Consultation with Attorney)*
- E. Consultation with City Attorney Regarding Interlocal Joint Billing Agreement between the City of Dripping Springs and the Dripping Springs Water Supply Corporation, *551.071 (Consultation with Attorney)*
- F. Consultation with City Attorney regarding South Regional Wastewater System Contracts for Wastewater Collection System, Including Contract, Change Orders, and Bond Issues (*551.071: Consultation with Attorney*)
- G. Consultation with City Attorney Regarding Applicability of municipal ordinances, procedures and fees to construction activities of Pedernales Electric Cooperative, Inc. Staff Briefing. Request for Waiver of Fees, *551.071 (Consultation with Attorney)*

IV. ADJOURN

Councilman Phillip motions to approve. Mayor Pro Tem Bill Foulds seconds. Meeting adjourned at 6:55 p.m.